

~~FRIANT~~

WATER USERS AUTHORITY

Kole M. Upton
Chairman of the Board

Harvey A. Bailey
Vice Chairman

Marvin L. Hughes
Secretary/Treasurer

Dan Fufts
General Manager

Gary W. Sawyers
General Counsel

October 17, 2003

Mr. Paul Dabbs
Statewide Planning Branch
California Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236-0001

Subject: Comments on California Water Plan Update 2003 – An Investment Guide for California's Water Future

Member Agencies:

Arvin-Edison W.S.D.
Atwell Island W.D.
Chowchilla W.D.
Delano-Earlimart I.D.
Exeter I.D.
Fresno I.D.
Hills Valley I.D.
Ivanhoe I.D.
Kern-Tulare W.D.
Lindmore I.D.
Lindsay-Strathmore I.D.
Lower Tule River I.D.
Madera I.D.
Orange Cove I.D.
Pixley I.D.
Porterville I.D.
Rag Gulch W.D.
Saucelito I.D.
Shafter-Wasco I.D.
So. San Joaquin M.U.D.
Stone Corral I.D.
Tea Pot Dome W.D.
Terra Bella I.D.
Tulare I.D.

Dear Mr. Dabbs:

The Friant Water Users Authority (FWUA) is in receipt of the draft California Water Plan Update 2003 – An Investment Guide for California's Water Future (Investment Guide). FWUA received a copy of this document from the Department of Water Resources (DWR) on October 10, 2003. FWUA appreciates the opportunity to review and provide comment on behalf of our Member Districts; however, due to the extremely compressed review time and the incomplete nature of the document, we would like to reserve the right to comment further at a later date.

At the outset, FWUA is troubled by the biased tone of much of the draft Update. This document is intended to be an objective and factually accurate report to assist the State in the long-term water planning so important to its future. Unfortunately, much of the report is slanted to an anti-agriculture perspective; moreover, the Update is riddled with factual inaccuracies. Those flaws render the Update of little value in the planning process. FWUA urges DWR to withdraw this draft and republish it with a much more neutral tone.

Set forth below are a number of specific comments. These comments should be viewed as merely a sampling of the issues and problems identified in the Update.

Main Office
854 N. Harvard Avenue
Lindsay, CA 93247

Phone: 559-562-6305
Fax: 559-562-3496

Construction and Maintenance Offices
860 Second Street
Orange Cove, CA 93646

Phone: 559-626-4444
Fax: 559-626-4457

332 Norwalk
Delano, CA 93215

Phone: 661-725-0800
Fax: 661-725-9545

Sacramento Office
1521 I Street
Sacramento, CA 95814

Phone: 916-441-1931
Fax: 916-441-1581

Website: www.fwua.org

1. The Investment Guide states that California must develop an additional 2 to 3 million acre-feet per year to meet the needs of the 50 percent increase in population by 2030, while at the same time reducing the unsustainable overdraft of 1 to 2 million acre-feet of groundwater on average every year. Even without the inclusion of environmental water demands, these goals are unattainable under the Investment Guide's principal recommendation to target implementation of only the six resource management strategies which have been given High Implementation Confidence (HIC).

It is unclear what value the HIC designation actually carries, in that three of the six HIC strategies include strategies which do not develop additional supplies of water, but rather, simply constitute a change in use of an existing supply. For example, Agricultural Water Use Efficiency would decrease the amount of water applied on the farm, but would also decrease the amount of water recharged into the underground aquifers. Similarly, Recycled Municipal Water which would otherwise be allowed to percolate into the underground aquifers in a majority of regions, will be put to a different use. These changes in use are in direct conflict with the goal of eliminating groundwater overdraft.

To provide a balanced set of resource management strategies that will have the highest possibility of achieving the water supply goals, the implementation of surface storage must be included. Not only does it provide a net increase in water supplies, it provides the capacity to fully utilize new conjunctive management programs (another HIC strategy) to their maximum potential.

2. The discussion of the Upper San Joaquin River Storage option being investigated under CALFED is very limited. Some indication should be made as to whether further comment on its possibilities will be coming in later drafts or the next phase of the Plan Update in 2004.

3. On page 3-8, there is a reference to a projection that climate change is expected to increase crop yields in California by 15%. The citation to the authority for that information is to "Adams and others." This is an incomplete cite to significant information and should be corrected.

4. On page 4-59, the last sentence of the first paragraph mentions proposals to restore fisheries on the San Joaquin River through higher releases from Friant Dam. This statement confuses Friant Dam as a source of river water with other sources of water for the river that originate further downstream and have been used to re-establish or strengthen salmonid populations in the lower river and its tributaries (e.g. the Merced River). Further, the term "Sierra supplies" is overly broad when used in context with the Friant Dam operations. Finally, the phrase "higher releases" leaves the impression that any increased releases from Friant Dam would achieve fisheries restoration when it has not been scientifically demonstrated yet that even massive, continuous releases from Friant Dam would reestablish such fisheries.

5. On page 4-59, the third paragraph should be developed further to discuss exactly what are the potential negative groundwater impacts alluded to, such as land subsidence which results

in a loss of aquifer storage space. Mention should also be made to land subsidence related damages to public facilities such as canals, utilities, pipelines and roads, which come at a high cost to the taxpayer and to the affected communities.

6. On page 4-59, the fifth paragraph misstates the facts regarding the current condition of the salmonid population in the San Joaquin River below the Mendota Pool. In that area of the river the salmonid population, according to the latest studies by the Department of Fish and Game and NMFS, are increasing. Further, that paragraph over simplifies the issues of San Joaquin River ecosystem restoration and the impacts of restored flows on the million acres served by the FWUA's members. For example, the report pre-supposes that San Joaquin River restoration below Friant Dam is beneficial to the region and to its people. There is no mention of any fact supporting such a pre-supposition. The United States Congress authorized the Friant Dam to create a water supply for a significant portion of the vibrant and essential agricultural economy served by the FWUA. Furthermore, to merely state that restoration flows to the river would significantly impact the members of FWUA understates the impacts on the thousands of farmers, communities, public agencies, related businesses, employees and consumers who depend on the water from Friant Dam.

7. On page 4-60, the third paragraph is both inaccurate and slanted. It should be restated as follows:

"After a lengthy court proceedings battle with an environmental and fishing coalition led by the Natural Resources Defense Council (NRDC Coalition), the Friant Water Users Authority (FWUA) began settlement negotiations with the NRDC Coalition in an effort to develop a San Joaquin River restoration program consistent with certain mutual goals jointly adopted by the parties. Water releases were made from Friant Dam into the river in 1999, 2000 and 2001 as part of pilot programs to study the hydraulic and ecological processes of the river. In addition, a restoration study was undertaken but never fully completed due to self-imposed time constraints. After years of negotiations and finally submitting the matter to a federal mediator, in April 2003, a compromise proposal based on an incomplete restoration study was presented to both parties for consideration. The parties could not come to an agreement, and the NRDC Coalition declined to engage in further negotiations."

It should be noted that the characterization of the breakdown of settlement negotiations in the final sentence of this paragraph is particularly unfair and inaccurate. First of all, the proposal characterized as final was merely a mediator's proposal and need not have been final if the parties had continued to negotiate. Secondly, the FWUA did not reject the proposal and did not choose to discontinue settlement negotiations. The NRDC set an arbitrary deadline for ceasing negotiations and when that deadline was reached the NRDC ceased negotiations, unilaterally terminated the litigation stay that had been in place, and re-initiated the litigation by filing a 7th Amended complaint.

8. On page 4-67, discussion of the negative impacts of groundwater overdraft should be included.

9. On page 4-68, the last sentence of the second paragraph discusses poor quality groundwater intrusion in root zones. This sentence would benefit from being more specific because it gives the impression that the Westside as a whole suffers from this condition, which is not the case. The problem is real, but it does endanger the entirety of Westside agricultural production.

10. Also on page 4-68, the Update misstates the City of Fresno's future water supply supplementation efforts and the current status of Fresno's water supply. Fresno currently has a 60,000 acre foot contract for Friant water, which it banks in the underground aquifer and then extracts for municipal use via its system of groundwater wells. Therefore, Fresno's current water supply is both groundwater and surface water. Further, the City is now constructing a surface water treatment facility. Whether or not Fresno will seek to augment its water supply by trying to acquire water from members of FWUA or the Kings River remains to be seen. Note, however, that both of those systems are fully contracted and allocated and there is no additional water available from those sources.

11. On page 4-68, the reference to asbestos in the fourth paragraph should also mention that the asbestos is naturally occurring in the Westside hills.

12. On page 4-68, the fourth paragraph incorrectly states that the Friant Water Users Authority was involved in the enlargement of Kaweah and Success Dams. These projects were undertaken by other local water agencies.

13. On page 4-69, the Update states that Westlands Water District is retiring 33,000 acres. This is inaccurate. Westlands is proposing the retirement of up to 200,000 acres of drainage impacted agricultural land and shifting water allocations from that retired land to productive land within the District, thereby also improving the water supply for the remaining acreage within the District. Westlands has been negotiating with the Bureau of Reclamation for years regarding this concept. Furthermore, other water agencies on the Westside are also considering land retirement, either through joining the Westlands proposal or on their own. The scope of the land retirement is speculative at this time, but it will likely be significant. The Update should note the need to study potential economic impacts of land retirement on local economies and governments as well as potential environmental impacts.

14. On page 5-91, at the end of the third paragraph, mention should be made of the potential costs of monitoring agricultural drainage and the potentially enormous economic impact those costs may have on agriculture and the economy of the state.

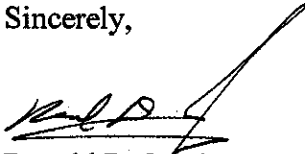
15. On page 5-104, the Friant Water Users Authority is mis-named in the list of agencies with recharge sites as the Friant-Kern Water Users Authority. Furthermore, the Fresno County FC & WCD is an inaccurate name for two separate agencies, the Fresno Metropolitan Flood

Control District and the Fresno Irrigation District, both of which have recharge facilities, several being joint projects.

16. On page 5-113, in the second paragraph, mention should be made that with the current projected costs of \$300 to \$1300 per acre-foot for recycled water, that cost is not affordable for most farming entities without significant government incentives or subsidies.

Again, the FWUA appreciates the opportunity to provide comments on the Update, but must reiterate its deep concerns over the bias and errors contained in the draft.. While we understand the need for creative thinking in regard to California's water management future and encourage its continuance, the impacts associated with the recommendations outlined in the Update must be fully determined. We look forward to the future evaluation and discussion of our concerns and the concerns of other stakeholders.

Sincerely,



Ronald D. Jacobsma
Interim General Manager

cc: FWUA Member Districts
Mario Santoyo, Water, Environmental and Facilities Resources Manager, FWUA
John Roldan, Chief Engineer, FWUA
Bernice Sullivan, Special Projects Officer, FWUA
Gary W. Sawyers, Law Offices of Gary W. Sawyers
William H. Luce, U.S. Bureau of Reclamation, SCCAO

RJ:tm